#### **TESTIMONY OF**

## OLIVIA A. GOLDEN, DIRECTOR, CHILD AND FAMILY SERVICES AGENCY BEFORE

## THE U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON GOVERNMENT REFORM

MAY 16, 2003

Good morning, Chairman Davis, Ranking Member Waxman, Representative Norton, and members of the District of Columbia House Government Reform Committee. I'm Olivia Golden, director of the Child and Family Services Agency (CFSA) for the District of Columbia. I appreciate your commitment to the child welfare goals of safety, permanency and well-being for abused and neglected children.

I am pleased to have the opportunity to speak to you on the day after appearing before U.S. District Judge Thomas F. Hogan regarding the Implementation Plan in the *LaShawn* lawsuit. The Implementation Plan, developed by the Federal Court Monitor with extensive input from the District and plaintiffs, represents a major milestone in the District's reform of the child welfare system. Decades of neglect resulted in a lawsuit in 1989, and continued failure by the District resulted in six years of Federal Court receivership beginning in 1995. In 2000, however, Mayor Anthony Williams, the District Council, Representative Norton, and other community leaders committed to turning the system around and to implementing major statutory and institutional reform as conditions for return of child welfare to District control.

In the first two years of District control, we have demonstrated momentum for significant, positive change; gotten CFSA out of probation through financial investment and performance improvements; and, for the first time, engendered hope that child welfare reform really can take place here. Now, the Implementation Plan represents a blueprint for reforms that will truly accomplish our goals for children. It poses even greater challenges than we have met so far but also offers unprecedented opportunities:

- first, to establish the strong local safety net that vulnerable children and families deserve;
- second, to protect abused and neglected children, ensure they grow up in permanent families, and promote child and family well being;
- and finally, to end court oversight of child welfare in the District within the next four years.

Before turning to details about CFSA's progress to date, I want to highlight what I believe are the greatest improvements we've made for children so far. These examples show how faulty the so-called protective system for local children was and that we are having to correct some very basic flaws to strengthen the safety net.

- For years, it was routine for children who had suffered the trauma of being removed from
  their birth homes to spend one or more nights sleeping in the child protective office
  because better placements could not be located promptly. Today, after two years of
  diligent effort, no children are sleeping at CFSA because we find safe placements for
  them during the day.
- For decades, abused and neglected children of all ages were virtually "warehoused" in unregulated group homes throughout the city. Today, most young children who must be removed from home to be safe are placed with families. In May 2001, 99 children under age six, and another 100 between ages seven and 12, were in group homes. Today, we have cut those numbers by more than half by focusing on identifying relatives and foster families, providing expert clinical support in-house, and working closely with providers.
- And after 14 years, the District gave CFSA licensing authority over group homes that serve children and Independent Living Programs for foster youth. We have closed three emergency shelters as well as other group home facilities, either because we are now

placing children in family settings or because the facilities were unable to meet the new licensing requirements.

In the remainder of today's testimony, I want to cover two important topics.

- First, I'll summarize major system reforms of the past two years that are, at last, beginning to weave a safety net for abused and neglected children and troubled families in the District. This will include highlighting areas of progress of particular interest to this Committee as indicated by your questions.
- Second, I'll discuss major challenges ahead as we move toward realizing the full vision of safety, permanence, and well being for children embodied in the *LaShawn*Implementation Plan. This assessment of next steps also draws on input from several independent third parties, including the Annie E. Casey Foundation's Family-to-Family project, Council for Court Excellence, Federal Court Monitor, and the General Accounting Office. In addition, the Federal government conducted a Child and Family Services Review that provided valuable baseline information at the point of termination of the receivership.

#### I. Building the District's First Safety Net for Children: A Progress Report

From the beginning, we have recognized that our task is to achieve positive outcomes for children while simultaneously reengineering the statutory and institutional framework for child welfare in the District. As Mayor Williams often says, we are "building the airplane while flying it." To provide a context for the scale of the task:

- In fiscal year 2002, our 24-hour line for reporting child abuse and neglect received an
  average of 640 calls a month. About 69 percent of those calls met the criteria for abuse or
  neglect and were referred for investigation.
- In an average month, CFSA serves 3,078 children in paid placements, and about 2,214 families with 5,106 children at home for a total of 8,184.

#### A. Early Progress for Children

Over the past two years, CFSA has made significant early improvements for children in four areas.

#### (1) More children in families, fewer in group settings.

As mentioned a moment ago, we have made dramatic changes in the District's historic reliance on group care for children. We have cut in half the number of young children in group settings, eliminated children's stays in CFSA's office building, closed group facilities where necessary, and reduced the number of children in residential treatment more than 100 miles from the District. Because children develop most fully when they are nurtured in family settings, this is an important positive change.

# (2) <u>Timeliness of investigations and other indicators of safety and permanence for children</u>

Prompt investigation of allegations of abuse and neglect is critical to children's safety and lays the groundwork for helping services to both children and families. This is an area where we have made major progress compared to the prior, fragmented system. At the end of the receivership in May 2001, the Court Monitor found more than 800 investigations overdue beyond the 30-day statutory deadline. Today, that backlog is down to approximately

129. Other key improvements highlighted by the Court Monitor were a 20 percent increase in finalized adoptions and major strides in completion of case plans.

Monitoring of children by social workers and visits of foster children with their birth parents are key steps towards safety and permanence. The Court Monitor found extremely low baseline levels of performance on both of these measures at the end of the receivership: for example, only 5% of the cases reviewed in May 2001 had documentation in the files of monthly visits by social workers for our children. Working intently in these critical areas, we have increased by eightfold from that low base to a current rate of at least 43% of children visited by their social workers in March of 2003 - yet this is still far from a big enough difference to children. We are committed to continued work from here to meet the ambitious targets in the Implementation Plan. Key steps to increase social worker monitoring include reduced caseloads, reduced time in court, and better tracking of visits both by CFSA staff and by our contracted partner agencies (which have case management responsibility for approximately 1,000 children). Key steps to improved visits between foster children and birth parents include development of communitybased visitation sites, a requirement now included in contracts with each of the seven neighborhood-based Healthy Families/ Thriving Communities Collaboratives, as well as early involvement of birth parents and extended family in case planning.

### (3) Recruitment/retention of social workers, and caseload reduction.

In FY02, we increased our licensed master's and bachelor's-level social workers by approximately 30, to a current level of approximately 270. Our goal is to end FY03 with a total of 310 licensed social workers.

We are currently in the midst of intensive spring recruitment at colleges and universities across the country. We have more than 20 new social workers scheduled to start in June, with

additional offers made and accepted every day. While we have made important progress towards the FY03 goal and believe we can meet it, it will not be easy. In addition, it won't be easy to continue progress into FY04 and future years to meet and maintain the ambitious caseload standards in the Implementation Plan.

Major elements of our aggressive recruiting strategy include outreach to both local and selected distant colleges and universities with schools of social work; use of print advertising, web-based sites used by many social workers, and targeted mailings; partnerships with organizations such as the National Association of Social Workers and U.S. Public Health Service Commissioned Corps; and a special focus on institutions likely to offer bi-lingual candidates. We are also focusing on retention. For all licensed social workers at CFSA, the turnover rate is 17 percent—or slightly below the annual average of 20 percent for state child welfare agencies. We continue to work on improving retention through strategies such as reducing caseloads, upgrading training, and providing more support for doing a tough job.

As a result of our recruitment and retention strategies as well as intensive focus on caseload assignment and equity across workers and units, our average caseloads are now down to 23 cases per Ongoing worker with no worker carrying over 39 cases. In August 2002, when we started our tracking we had 35 workers with over 40 cases. The Implementation Plan requires reaching caseloads of 20 or below for foster children, 12 or below for foster children with special needs, and 17 for families with children at home. Under the Implementation Plan, a workload analysis to be completed next winter will allow review of whether these standards need modification.

A key related accomplishment has been development of a Training Academy to ensure strong initial and in-service training of social workers. New social workers go through four months of pre-service training, including both classroom and on-the-job experiential learning.

We have heard anecdotally that new candidates who come to us have heard about our on-the-job training segments and see them as a plus compared to other jurisdictions.

#### Availability of clinical expertise.

The creation of the Office of Clinical Practice at CFSA puts health and mental health experts directly in support of social worker decisionmaking. For example, to help young children in group homes move to families, we enlist Clinical Practice nurses to prepare foster parents to care for medically fragile children.

#### B. Systems Changes that Make Progress for Children Possible

In the two years since CFSA became the District's first unified child welfare agency, the pace of statutory, regulatory, and institutional reform has been intense. We must change the way all aspects of the system have operated for decades if we are to change outcomes for thousands of children on a sustained basis. Important early changes are evident in several key areas.

#### (1) Family Court and Legal Reform.

As a result of concurrent reforms within District government and Superior Court, the Council for Court Excellence reported last October that in sharp contrast to the animosity that for years created problems for children and families in the system:

The major public stakeholders in the DC child welfare system—the DC Superior Court, the Child and Family Services Agency (CFSA), and the Office of the Corporation Counsel (OCC)—are working collaboratively to make major structural changes that will position the city to achieve dramatically improved outcomes for children.

I meet regularly with Presiding Judge Lee Satterfield to identify issues that we need to tackle jointly to benefit children. Last fall, CFSA participated actively in the first cross-training,

hosted by the Family Court, on systems of care. We also collaborated to design the best way to transfer cases to the new teams of Magistrate and Associate Judges in the Family Court, with CFSA providing information systems support. Together, we recently designed a schedule that we expect will provide social workers and attorneys with concentrated time without court appearances, freeing them to make visits and complete other work.

Two current collaborations are particularly exciting, because they have the potential of serving as national models of Court-Executive Branch collaboration that can truly pay off for children and families. First, we are continuing to collaborate with the Court around information systems. We have just initiated a project to scan court orders into our automated system so that attorneys and social workers have prompt access. Every evening, the Court now sends all hearing dates, times, and locations by social worker and supervisor to our FACES system, where staff can reference this information at the touch of a button.

Second, is the creation of the Family Treatment Court, through the leadership of Deputy Mayor Carolyn Graham and Presiding Judge of the Family Treatment Court, Anita Herring.

Now drug dependent mothers who end up in D.C. Superior Court, for neglecting their children can enter a six month drug rehabilitation program with their children under the close supervision of this new Family Treatment Court. This is an exciting step for children and families in the District and one in which CFSA is actively participating and in fact we are providing funds to the Addiction Prevention and Recovery Administration (APRA) totaling 1.4 million dollars for drug treatment for mothers who are drug dependant and court ordered into treatment.

#### (2) System-wide focus on ASFA compliance.

The history of child welfare in the District shows consistent failure to move children to permanence promptly. As a result, far too many children still in our care have spent years in temporary settings. The past two years of reforms give promise that with consistent focus, we can at last turn this history around. As suggested by GAO and other independent reviews, there has been important early progress and there is much more to do.

The most important measurable evidence of progress comes from the Council for Court Excellence (CCE), which has been tracking District-wide compliance with ASFA and sharing findings with representatives of Superior Court, CFSA, OCC, the Deputy Mayor's Office, and other key District agencies. Last October, CCE found that the "District of Columbia's child welfare leaders have made steady, measurable progress toward achieving the goals of ASFA." Recent data, compiled by Superior Court following the tracking system set up by CCE, shows that compliance with ASFA permanency hearings increased from 25 percent in March of 2001 to 55 percent in September 2002.

Reforms in progress at CFSA to speed children toward permanence include:

- <u>Doing more to engage families at the outset</u> through early case conferences and the Emergency Assessment Program. The Family Treatment Court described above is another example of placing intensive services and planning on the front end to promote faster decision-making about whether a child can go home.
- Meeting ASFA deadlines through more stringent scheduling of and preparation for Administrative Reviews and closer work between social workers and attorneys.
- Strengthening the legal process that supports adoptions. GAO's report highlighted the District's historic failure to terminate parental rights and to free children to achieve

permanence through adoption. The District has historically favored terminating parental rights (TPR) only as part of the process of granting a specific adoption petition. We are working with the Court to change this, and filing of TPR requests has soared from a mere handful in every previous year to more than 100 in FY02.

 Speeding adoption through programmatic support including permanency planning staffings and targeted recruitment for children with special needs, such as medical issues.

#### (3) Provider Quality.

We are raising the bar for services we purchase from community providers through:

- Implementation of the new licensing authority assigned to CFSA in 2001 and
- aggressive, proactive contract reform.

<u>Licensing and Monitoring:</u> Licensing of youth residential facilities in the District has been in the making for 15 years following passage of the Youth Residential Licensure Act of 1986. As a result of legislation transferring this responsibility to CFSA and publication of regulations in 2001 and early 2002, the Office of Licensing and Monitoring within CFSA was finally able to begin the process of licensing group homes and independent living facilities serving children and youth. The standards have made a significant difference in quality since a number of facilities have had to undertake repairs and renovations. CFSA is providing technical assistance to help facilities become licensed—and has closed some that could not meet the requirements.

<u>Contract Reform</u> is a bold initiative designed to ensure that CFSA's performance-based posture and best practices in modern child welfare are reflected in the services we buy. It is a vehicle for stimulating increased availability of community-based services in the District, reducing reliance on group homes, making providers accountable for delivering positive outcomes for children and families, offering incentives for outstanding results, and ensuring

good use of public funds to meet community needs. We expect to put RFPs out for bid early this summer and to launch the new contracts in late summer.

#### (4) Policy development

One of the most demanding areas of reform to date has been establishing policies to support an independent child welfare function and to institutionalize best practices. For example, changes such as the unification of abuse and neglect investigations, the creation of a new Institutional Abuse investigation unit, and the publication of the new licensing regulations require corresponding policy development and revision. The Implementation Plan demands extensive policy development for these reasons. As GAO's report indicates, we have established some new, strong policies and still have considerable work ahead. In negotiating the Implementation Plan, we sought to sequence policy development to give priority to critical areas while also taking time to involve key stakeholders—a step recommended by outside experts to ensure buy-in and implementation. For example, we have been working closely with foster parent representatives in the development of a comprehensive set of foster care policies, required in the Implementation Plan by September 2003.

#### (5) Foster and adoptive parent recruitment, retention, and support.

Recruiting and retaining foster and adoptive parents is a never-ending job for every child welfare agency. At CFSA, we are working to:

- Recruit in the District, especially in neighborhoods where CFSA caseloads are highest.
- Build stronger community linkages to support that recruitment, including linkages to the faith community.
- Strengthen relationships with and support for current foster parents.

- Expand the Proctor Parent program, which supports professional foster parents who are available full-time for children who have the greatest needs.
- Build capacity for foster parents to serve behaviorally challenged and medically fragile children and youth.
- Not give up on getting older children adopted and do a better job of child-specific recruitment.

#### (6) FACES Information System

FACES is our internal automated case tracking system. As indicated both by our own experience and two recent outside reviews, we have made considerable improvements in FACES. Two years ago, we could not tell which investigations were overdue, which cases were assigned to which workers, which case plans were current, or how many visits we had made to children. Today, we know every child in our care and where he or she is living. In addition, managers and supervisors and workers can access a variety of management reports any time

Additional improvements to FACES lie ahead, but we have come a long way. In fact, national comparisons suggest that we may be in the top half of state child welfare systems. For example, our AFCARS submission to DHHS in March, which is based on FACES data, passed without penalty. Only 45 percent of states across the nation pass AFCARS. FACES is an operational SACWIS system, meaning that along with just 22 other states, we have an automated case management system that meets most of the Federal requirements. We intend in FY04 to pursue full federal certification of FACES as meeting all the SACWIS requirements, a status so far achieved by only four states across the country, all of which have had SACWIS systems in place for many more years than the District.

Several strategies have led to these improvements and are critical to support next steps:

- Setting an expectation across the Agency that data-driven decisionmaking is critical to day-to-day operations.
- Ensuring collaboration between Program and Information Systems staff to improve data quality and user-friendliness of the system;
- Comparing manual with automated data and correcting problems before relying fully on the automated data.
- Supporting private agency partners intensively during their transition to full use of
  FACES for case management. We have jointly identified training and hardware needs
  and developed strategies to address them, and we have committed to including private
  agencies as partners in decisionmaking about information systems priorities.

#### C. Ending Federal Court Probation

As a result of programmatic and systemic improvements such as those I've just described, the Court Monitor in the *LaShawn* lawsuit reported in October 2002 that CFSA had met 75 percent of 20 exacting performance goals. Judge Hogan signed the order ending the District's probation in operating child welfare in January 2003.

The end of probation represented an important accomplishment for the District – a key step along the way to implementing our full vision for children and compliance with the MFO. To end probation, the District's leadership demonstrated a sustained commitment to abused and neglected children, implemented difficult statutory and institutional reforms that, in many cases, had been awaiting action for years, and accomplished measurable improvements in serving

children and families. The next task is to build on this positive momentum to fully implement our vision for children following the blueprint in the Implementation Plan.

#### II. CHALLENGES AND NEXT STEPS

The Implementation Plan is ambitious and comprehensive. It presents great challenges but also extraordinary opportunities: to truly build the safety net all the District's children deserve, to ensure children's safety, permanence, and wellbeing, and to end Federal Court oversight of the District's child welfare system within the next four years. The plan addresses all key areas of child welfare operations and administration, prescribes performance standards that include ambitious outcome targets and best-practice strategies, and establishes specific time frames for performance from June 30, 2003, through December 31, 2003 and beyond. In total, these requirements add up to the strong safety net we all want for children and families: child-centered, family-oriented, community and neighborhood based, and outcome-focused.

To take just one of many examples, the Plan envisions a broad range of community services-including intensive home-based services and mental health and substance abuse treatment--that will prevent children from being removed from their families where possible, ensure prompt reunification where that is possible, and promote stability for children in foster and pre-adoptive placements.

Based on our experiences to date, several outside reviews, and expert input from our National Advisory Panel, four major challenges that lie ahead:

1. Continued progress in recruiting and retaining social workers, case aides, supervisors, and non-case-carrying staff critical to supporting their work. We look forward to discussing with the Committee whether there are ways the Congress might support the critical role of social workers who choose to bring their professional experience and

- education to the difficult task of public child welfare, in the District and in other highneed urban and rural areas across the nation.
- 2. <u>Continued progress in recruiting, retaining, and supporting foster, kin, and adoptive</u> parents who can meet the needs of our children.
- 3. Strengthening key partnerships with leaders and committed citizens in neighborhoods, with our service providers, with other District agencies (such as the Department of Mental Health), with the District Council and Congress, and with other jurisdictions in the metropolitan area. We would like to express our appreciation to the Committee for the important role that the Family Court legislation has played in strengthening our partnerships both with the Court and, as a result of the "Sense of Congress" language in the legislation regarding a border agreement among the District, Maryland, and Virginia, with the surrounding jurisdictions. We would urge continued attention by the Committee and the Congress to supporting the District, Maryland, and Virginia as we seek to craft a truly metropolitan approach to the needs of children and families whose lives constantly cross state boundaries.
- 4. <u>Keeping up the momentum for reform over the long haul</u>. Investments of resources and the commitment required to make a difference for children will not be over in a week, a month, or a year. To accomplish the reform we are aiming for, the national experience has shown that we must sustain our commitment to children because there are no "quick fixes."

In conclusion, this is a tremendously important moment in the history of child welfare in the District. In the past two years, the leadership of the District at all levels has demonstrated that

we can begin to turn around apparently intractable problems that have placed our children at risk for decades. Now, we have both the great challenge and the great opportunity of working together to sustain the momentum and achieve our collective vision: children who are safe, children who grow up in permanent families as every child deserves to, and communities that support the wellbeing of fragile families and vulnerable children. Thank you for your past and continuing commitment and support. I look forward to answering any questions.